

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

KANGA CARE, LLC,)
Plaintiff,)
v.) CV 122-009
BUMBUM BABIES, LLC,)
Defendant.)

MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

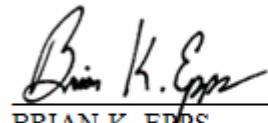
On March 18, 2022, Defendant BumBum Babies, LLC, filed a *pro se* answer to Plaintiff's complaint. (Doc. no. 8.) Lauren Spruell signed the answer in her capacity as registered agent. (*Id.* at 1, 3.) Because corporate entities may not proceed *pro se*, the Court ordered Defendant to retain counsel by no later than April 7, 2022. (Doc. no. 9.) Defendant did not comply. On May 25, 2022, during a telephonic status conference, Ms. Spruell explained Defendant does not have the financial resources to hire an attorney. The Court reminded Ms. Spruell of the longstanding rule prohibiting *pro se* corporate representation. To date, no attorney has appeared for Defendant.

The proper sanction for failure of a corporate entity, including a limited liability company, to retain counsel is entry of default. See T-12 Ent., LLC v. Young Kings Enterprises, Inc., 36 F. Supp. 3d 1380, 1393 (N.D. Ga. 2014) ("Ego Entertainment is a Georgia limited liability company and thus cannot appear *pro se*."); Dillard v. Baker, No. 1:08-CV-1740-JOF, 2008 WL 11417304, at *1 (N.D. Ga. Oct. 27, 2008) ("The court may

enter a default against a corporation that fails to obtain a lawyer to represent it in court.”); see also Nat'l Comm'n for the Certification of Crane Operators, Inc. v. Nationwide Equip. Training, LLC, No. 1:20-CV-483-TFM-N, 2021 WL 2342938, at * 1 (S.D. Ala. June 8, 2021) (“Nationwide is required to secure counsel to appear before this Court in order to defend itself.”); see also Compania Interamericana Export, Import, S.A., v. Compania Dominicana de Avaiacion, 88 F.3d 948, 952 (11th Cir. 1996) (upholding district court’s entry of default where defendant had been given “ample opportunity” to retain counsel in accordance with court order, but failed to do so).

Because Defendant has failed to retain counsel despite ample opportunity to comply with the Court’s Order, the Court **REPORTS** and **RECOMMENDS** entry of **DEFAULT** against Defendant.

SO ORDERED this 6th day of June, 2022, at Augusta, Georgia.



BRIAN K. EPPS
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA